

Message Text

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PAGE 01 SANTIA 04686 281749Z

44

ACTION L-03

INFO OCT-01 ARA-16 ISO-00 OPIC-12 SSO-00 NSCE-00 EUR-25

INRE-00 AID-20 CIAE-00 COME-00 EB-11 FRB-02 INR-10

NSAE-00 RSC-01 TRSE-00 XMB-07 SPC-03 CIEP-02 LAB-06

SIL-01 OMB-01 INT-08 H-03 SS-15 NSC-10 DRC-01 /158 W

----- 092915

O 281714Z SEP 73

FM AMEMBASSY SANTIAGO

TO SECSTATE WASHDC IMMEDIATE 5922

C O N F I D E N T I A L SANTIAGO 4686

PASS OPIC, EX-IM BANK

EO 11652: GDS

TAGS: CI PFOR

SUBJ: COPPER--KENNECOTT SUIT IN ITALY

REF: A) STATE 191414 B) NAIROBI 3786

1. WE UNDERSTAND THAT FORMER KENNECOTT LAWYERS STITCHKIN AND EVANS PRESENTLY ARE NOT IN CHILE. SHOULD KENNECOTT INSIST ON PURSUING RESEARCH INDICATED PARAGRAPH 1 REF A THEY PRESUMABLY COULD EITHER SEND COUNSEL TO CHILE OR HIRE SOMEONE LOCALLY. EMBASSY BELIEVES THAT IT WOULD BE INADVISABLE FOR USG TO APPEAR TO BECOME INVOLVED IN ANY WAY WITH KENNECOTT SUIT.

2. WE WISH TO ADD THAT, IN OUR OPINION, PURSUIT BY KENNECOTT OF ITALIAN LAWSUIT AT THIS TIME COULD HAVE ADVERSE CONSEQUENCES. GOC OFFICIALS ON SEVERAL OCCASIONS HAVE SAID PUBLICLY THAT THEY ARE WILLING TO MOVE POSITIVELY TOWARD COPPER SETTLEMENT. REF B REPORTS THAT HIGH GOC DELEGATION PLANS TALK WITH COPPER COMPANY OCTOBER 8-9 IN NEW YORK. UNDER THESE CIRCUMSTANCES IT WOULD BE MOST REGRETTABLE IF NEWS REACHED CHILE IN EARLY OCTOBER THAT KENNECOTT WAS STILL ACTIVELY PURSUING LAWSUIT IN ITALY.

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3. WE REALIZE THAT USG CANNOT BE IN A POSITION OF TELLING
PRIVATE COMPANY HOW BEST TO PURSUE ITS OWN INTEREST, BUT
DEPARTMENT MAY WISH PASS SUBSTANCE OF ABOVE TO KENNECOTT
FOR ITS CONSIDERATION AND RAISE POSSIBILITY THAT FURTHER LEGAL
ACTION BY POSTPONED UNTIL AFTER COMPANY AND GOC HAVE
TALKED TO EACH OTHER.
DAVIS

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